

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	CHAPTER 13
	:	
	:	
Teressa L. DeRoos	:	CASE NO: 1:23-bk-01979-HWV
Debtor	:	
	:	
Teressa L. DeRoos	:	
Movant	:	
	:	
v.	:	11 U.S.C. 363
Adam Kane	:	
M&T Bank, U.S. Treasury,	:	
William and Majorie Reynolds,	:	
Kane Rentals, LLC	:	
American Builders & Contractors	:	
Supply Co Inc, Pennsylvania Department	:	
of Revenue, Belco Community Credit	:	
Union, RF Fager Company,	:	
Commonwealth of Pennsylvania Office of	:	
Attorney General,	:	
and Jack N. Zaharopoulos, Trustee	:	
Respondents	:	

MOTION TO SHORTEN TIME FOR NOTICE OF DEBTOR’S AMENDED MOTION
TO APPROVE SALE OF REAL PROPERTY FREE AND CLEAR OF LIENS CLAIMS
AND ENCUMBRANCES AND TO APPROVE DISTRIBUTION OF PROCEEDS

The Motion of Teressa L. DeRoos the above-named Debtor, by and through her attorney, John M. Hyams, Esquire, to Shorten Time for Notice as to the Debtor’s Amended Motion to Sell Real Property Free and Clear of all Liens, Claims, and Encumbrances, and Approving Distribution of Proceeds is as follows:

1. Contemporaneously herewith, the Debtor is filing an Amended Motion to Sell Real Property Free and Clear of all Liens, Claims, and Encumbrances, and Approving Distribution of Proceeds (the “Amended Sale Motion”). In the Amended Sale Motion, the Debtor requests

approval to sell the property located at 10 Hemlock Dr, Cumberland County, Pennsylvania (the “Real Property”).

2. It is essential that the Debtor closes on the sale of the Real Property as soon as possible. The Buyer’s loan commitment will expire shortly. If the Buyer’s loan commitment expires before the sale is finalized, then the Buyer may not be able to purchase the Real Property. The Buyer is understandably anxious about this matter and may elect to declare the sale contract void for failure to tender adequate title unless this matter is resolved quickly. Consequently, Debtor requests a shortened time for notice of the Amended Sale Motion.

3. In order to get to the point where an Amended Motion to Sell was even ripe to file was an extraordinary undertaking in this case. There are over 20 liens against the real property and the lien search alone took almost a month to complete. Beyond that, there were additional complexities that required extensive feedback from the title attorney, the attorney underwriter for the title insurance company, the buyer and his agent, and others who had an interest in the sale (ex. the broker for buyer and seller’s agents).

3. The Real Property is encumbered by various judgment liens and there will be no distribution to most of the judgment lienholders. The details will be succinctly laid out in the Amended Sale Motion and parties in interest will have an opportunity to review the particulars of the sale and closing as proposed in the Amended Sale Motion.

3. The Debtor has provided copies of the Amended Sale Motion to the Chapter13 Trustee, any secured creditors of the Debtors, and those persons or entities who have requested service for notices in this bankruptcy case.

4. Debtor believes that shortened notice on the Amended Sale Motion will have no impact on any party in this case and will simply allow the Debtor and Buyer to close quicker.

WHEREFORE, the Debtor respectfully request that this Honorable Court enter an Order:

- (a) Shortening the notice as to the Amended Sale Motion from twenty (20) days to ten (10) calendar days;
- (b) Directing that any objections to the Amended Sale Motion must be filed with the Court and served on Debtor's counsel on the tenth day following the date on the notice; and
- (c) Providing for such other and further relief as is just and proper.

Respectfully submitted,

THE LAW OFFICES OF JOHN M. HYAMS

Date: February 15, 2024

By: /s/ John M. Hyams
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